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14
15 **UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

16 AMERICAN FEDERATION OF
17 GOVERNMENT EMPLOYEES, *et al.*,

18 Plaintiffs,

19 v.

20 UNITED STATES OFFICE OF PERSONNEL
21 MANAGEMENT, *et al.*,

22 Defendants.

) Case No. 3:25-cv-1780-WHA

) **STATEMENT OF RECENT DECISION**

) Honorable William H. Alsup

Pursuant to Civil Local Rule 7-3(d)(2), Defendants respectfully submit this statement to inform the Court of a recent decision rendered after the parties' briefing that may be relevant to this Court's consideration:

On September 8, 2025, the Fourth Circuit concluded in *Maryland v. U.S. Department of Agriculture*, Nos. 25-1248, 25-1338 (4th Cir. Sept. 8, 2025), that the state plaintiffs lacked standing to sue the federal government for terminating the employment of certain probationary employees. *See* Slip Opinion, Attachment A. The court described the case as addressing "whether a group of states may invoke the jurisdiction of a federal district court to oversee the federal government's compliance with federal employment laws governing the termination of federal employees." Slip op. at 28–29. Concluding that "the Supreme Court's decisions plainly dictate" that the plaintiff states lacked standing, the Fourth Circuit returned the case to the district court with directions to dismiss it. *Id.* at 29.

DATED: September 8, 2025

Respectfully submitted,

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